

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE <div style="text-align: center;">J</div>		PAGE OF PAGES <div style="text-align: center;">1 18</div>	
2. AMENDMENT/MODIFICATION NO. 0001		3. EFFECTIVE DATE 09-Jul-2001		4. REQUISITION/PURCHASE REQ. NO. W26GLG11655368		5. PROJECT NO.(If applicable)	
6. ISSUED BY CONTRACTING OFFICE (CA/CW) US ARMY ENGR DIST NORFOLK ATTN: CENAO-CT 803 FRONT STREET NORFOLK VA 23510-1096		CODE DACW65		7. ADMINISTERED BY (If other than item 6) <div style="text-align: center;">See Item 6</div>		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. DACW65-01-R-0020	
				X		9B. DATED (SEE ITEM 11) 26-Jun-2001	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u> 1 </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A.THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B.THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C.THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D.OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Revised Bid Schedule, Operational Permit Construct Offshore Breakwaters and Dune Replenishment at Fort Story Virginia POC Susan Hurst 757-441-7747 757-441-7183 susan.i.hurst@usace.army.mil							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)		09-Jul-2001	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

Changes in Section SF 30

The following changes are made to the subject Solicitation:

- A. Replace the Bid Schedule with the revised Bid Schedule Pages 3 of 35 through 9 of 35.
- B. Attached Permit is applicable to this project and is included in the technical requirements.
- C. Proposal due date is not changed.

DACW65-01-R-0020

Page 3 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001		1.00	Lump Sum		

Base Bid

FFP - Construction of all work between Station 0+00 and 40 + 50 including all work incidental thereto as shown on the drawings and specified, exclusive of bid items 0002 through 0013

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002		20,000.00	Cubic Yard		

OPTION #1 Beach Fill

FFP - Beach fill complete including furnishing beach quality sand materials, hauling, and placement and all work incidental thereto as shown on the drawings and specifications, exclusive of bid items 0001 and 0003 through 0013. This line item will be for the first 20,000 (estimated) CY of sand.

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

DACW65-01-R-0020

Page 4 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003		100,000.00	Cubic Yard		

OPTION #2 Beach Fill

FFP - Beach Fill complete including furnishing beach quality sand materials, hauling and placement and all work incidental thereto as shown on the drawings and specifications, exclusive of Bid Items 0001, 0002 and 0004 through 0013.

Option may be exercised after Option #1, and may be exercised in one or more increments. Quantity is estimated.

PURCHASE REQUEST NUMBER W26GLG11655368

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ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004		1.00	Lump Sum		

OPTION #3 Breakwater #14

FFP - Construction of breakwater #14 including all work incidental thereto as shown on the drawings and specified exclusive of Bid Items 0001 through 0003 and 0005 through 0013

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

DACW65-01-R-0020

Page 5 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005		1.00	Lump Sum		

OPTION #4 Breakwater #15

FFP - Construction of breakwater #15 including all work incidental thereto as shown on the drawings and specifications, exclusive of Bid Items 0001 through 0004 and 0006 through 0013.

PURCHASE REQUEST NUMBER W26GLG11655368

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ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0006		1.00	Lump Sum		

OPTION #5 Breakwater #16

FFP - Construction of breakwater #16 and stormdrain outfall extension (sta 48 + 50) including all work incidental thereto as shown on the drawings and specifications, exclusive of Bid Items 0001 through 0005 and 0007 through 0013.

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

DACW65-01-R-0020

Page 6 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0007		1.00	Lump Sum		

OPTION #6 Breakwater #17

FFP - Construction of breakwater #17 including all work incidental thereto as shown on the drawings and specifications, exclusive of Bid Items 0001 through 0006 and 0008 through 0013.

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0008		1.00	Lump Sum		

OPTION #7 Breakwater #18

FFP - Construction of breakwater #18 including all work incidental thereto as shown on the drawings and specifications, exclusive of bid items 0001 through 0007 and 0009 through 0013

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

DACW65-01-R-0020

Page 7 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0009		1.00	Lump Sum		

OPTION #8 Breakwater #19

FFP - Construction of breakwater #19 including all work incidental thereto as shown on the drawings and specifications exclusive of bid items 0001 through 0008 and 0010 through 0013

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0010		1.00	Lump Sum		

OPTION #9 Breakwater #20

FFP - Construction of breakwater #20 including all work incidental thereto as shown on the drawings and specifications exclusive of bid items 0001 through 0009 and 0011 through 0013

PURCHASE REQUEST NUMBER W26GLG11655368

NET AMT

DACW65-01-R-0020

Page 8 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0011	OPTION #10 Breakwater #21 FFP - Construction of Breakwater #21 including all work incidental thereto as shown on the drawings and specifications inclusive of bid items 0001 through 0010, 0012 and 0013	1.00	Lump Sum		
PURCHASE REQUEST NUMBER W26GLG11655368					

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ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0012	OPTION #11 Beach Grass FFP - Placement of Beach Grass as shown on the drawings and specifications, exclusive of bid items 0001 through 0011 and 0013	1.00	Lump Sum		
PURCHASE REQUEST NUMBER W26GLG11655368					

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DACW65-01-R-0020

Page 9 of 35

Amendment 0001

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0013		1.00	Lump Sum		

OPTION #12 Sand Fence

FFP - Placement of Sand Fence as shown on the drawings and specifications
exclusive of bid items 0001 through 0012

PURCHASE REQUEST NUMBER W26GLG11655368

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U.S. Army Corps

Of Engineers
Norfolk District

Fort Norfolk, 803 Front Street
Norfolk, Virginia 23510-1096

DEPARTMENT OF THE ARMY PERMIT

Permittee: Fort Eustis Directorate of Public Works
Attn.: Mr. Damon Doumlele (ATZF-PWE)
Building 1407
Fort Eustis, Virginia 23604

Permit No.: 00-V2237-02

Issuing Office: Norfolk District, Corps of Engineers

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office," refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below pursuant to: (check appropriate Act)

- X Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).
- X Section 404 of the Clean Water Act (33 U.S.C. 1344).
Section 103 of the Marine Protection Research and
Sanctuaries Act of 1972 (33 USC. 1413).

Project Description:

You are hereby authorized to construct twenty-one (21) offshore breakwaters with dimensions of approximately 170-feet by 70-feet with a top elevation of +8.0 NGVD, place dredged material taken from the federal project channel maintenance along approximately 7,000 linear feet of beach from mean high water to approximately 135-feet channelward of mean high water as nourishment, and extend three (3) existing stormdrain outfalls approximately 170 to 270 linear feet to discharge from the newly constructed breakwaters as specified in the plans entitled offshore Breakwaters and Beach Nourishment Fort Story, Virginia and dated 1-25-01.

Project Location The project will be located at the Fort Story Army Installation off of Shore Drive in Virginia Beach, Virginia.

Project Specific Conditions:

1. Prior to the commencement of any work authorized by this permit, you shall advise Mr. Ken Kimidy of this office in writing at: Norfolk District, Corps of Engineers, Regulatory Branch 803 Front Street Norfolk, Virginia 23510, of

the time the authorized activity will commence and the name and telephone number of all contractors or other persons performing the work. A copy of this permit and drawings must be provided to the contractor and made available to any regulatory representative during an inspection of the project site.

2. The time limit for completing the work authorized ends on December 31, 2004.

If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached. Should you be unable to complete the authorized activity in the time limit provided, you must submit your request for a time extension to this office for consideration at least one month before the permit expiration date.

3. Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the permit terms and conditions.

-This permit does not authorize any dredging or filling of wetlands.

-This permit does not authorize any double handling of dredged material in waters and/or wetlands.

-National Ocean Service (NOS) has been notified of this authorization. You must notify NOS and this office in writing, at least two weeks before you begin work and upon completion of the activity authorized by this permit. Your notification of completion must include a drawing which certifies the location and configuration of the completed activity (a certified permit drawing may be used). Notifications to NOS will be sent to the following address: The Director, National Ocean Service (NICG 222), Rockville, Maryland 20852.

-You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (can), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia 23704, ATTN: Mr. John Walters, telephone number:- (757) 398-6230.

Special Conditions:

All project specific conditions listed above are special conditions of this permit.

1. No discharge of dredged or fill material may consist of unsuitable material (e.g.: trash, debris, car bodies, asphalt etc.) and material discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

2. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

3. Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and

other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.

4. The construction or work authorized by this permit will be conducted in a manner so as to minimize any degradation of water quality and/or damage to aquatic life. Also, you will employ measures to prevent or control spills of fuels or lubricants from entering the waterway.
5. Any heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.
6. Failure to comply with the terms and conditions of this permit can result in enforcement actions against the permittee and/or contractor.
7. In granting an authorization pursuant to this permit, the Norfolk District has relied on the information and data provided by the permittee. If, subsequent to notification by the Corps that a project qualifies for this permit, such information and data prove to be materially false or materially incomplete, the authorization may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.
8. All dredging and/or filling will be done so as to minimize disturbance of the bottom or turbidity increases in the water which tend to degrade water quality and damage aquatic life.
9. Your use of the permitted activity must not interfere with the public's right to reasonable navigation on all navigable waters of the United States.

General Conditions:

1. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Conditions 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
2. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
3. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
4. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
6. The permittee understands and agrees that if future operations by the United

States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army of his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required upon due notice from the Corps of Engineers to remove, relocate, or alter the structural work or obstructions caused thereby without expense to the United States. No claim shall be made against the United States on account of any such removal or alternation.

Further Information:

1. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, state or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the

corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as a permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

/signed/

(Permittee)

18 May 2001

(Date)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

/signed/

R. Harold Jones
Chief, Southern Virginia
Regulatory Section

24 May 2001

(Date)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)

U.S. Army Corps
Of Engineers
Norfolk District

CERTIFICATE OF COMPLIANCE
WITH
ARMY CORPS OF ENGINEERS PERMIT

Permit Number: 00-V2237-02

Name of Permittee: Fort Eustis Directorate of Public Works

Date of Issuance: 27 April 2001

Permit Type: Individual Permit

Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Kenneth Kimidy
c/o Regulatory Branch
Norfolk District Corps of Engineers
803 Front Street
Norfolk, Va. 23510-1096

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation has been completed in accordance with the permit conditions.

Signature of Permittee

Date